

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE JOINT
RESOLUTION NO. 1109

By: Culver

AS INTRODUCED

A Joint Resolution relating to certain rules of the Oklahoma State Board of Embalmers and Funeral Directors; disapproving certain rules; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, determine that a rule is not consistent with legislative intent and disapprove such rule or any portion thereof; and

WHEREAS, state law pursuant to Section 253 of Title 75 of the Oklahoma Statutes requires agencies to submit emergency rules to the Governor, the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Senate, within ten (10) days after the rule is adopted; and

WHEREAS, the Oklahoma State Board of Embalmers and Funeral Directors did not comply with the law by failing to timely submit emergency rules to the Legislature; and

WHEREAS, the following emergency rules of the Oklahoma State Board of Embalmers and Funeral Directors do not reflect the intent of the Legislature:

OAC 235:10-1-2, OAC 235:10-3-2, OAC 235:10-3-4 and OAC 235:10-9-2 relating to funeral services licensing (adopted July 13, 1995;

approved by the Governor August 21, 1995; received by the House of Representatives November 20, 1995).

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE:

SECTION 1. The Oklahoma State Board of Embalmers and Funeral Directors emergency rules OAC 235:10-1-2, OAC 235:10-3-2, OAC 235:10-3-4, and OAC 235:10-9-2 are hereby disapproved.

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Secretary-Treasurer of the Oklahoma State Board of Embalmers and Funeral Directors and the Editor of "The Oklahoma Register".

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

45-2-9759

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